

RI Bays, Rivers, and Watersheds Coordination Team

Meeting – November 22, 2004, 10:00 AM – Noon

Narragansett Bay Commission, Conference Room, One Service Road, Providence

Meeting Summary

1. Greeting – J. Joseph Garrahy, *Interim Chair*

- Interim Chair Garrahy noted that he, James Boyd, and Bob Ballou had a productive meeting with Massachusetts Secretary of Commonwealth Development, Douglas Foy, and his staff on September 28. The discussion was focused on developing an interstate agreement concerning the Narragansett Bay watershed. Interim Chair Garrahy also invited Massachusetts representatives to attend the Coordination Team meetings and to stay involved with the Coordination Team as it moves forward on creating a systems-level plan.
- Interim Chair Garrahy listed the handout materials for the Coordination Team as part of today's meeting. He noted that the continued work of the Team is dependant upon the creation of the full-time Chair position and a budget for the Team. He then asked Mark Adelman from the Governor's Office to provide an update on these issues.

2. Governor's Office update – Mark Adelman

- The Governor's Office is currently undergoing the budget review process. The Coordination Team chair position is one of the items being considered as part of the Governor's budget.
- Relative numbers with regard to salary, benefits, etc. are being discussed along with the hierarchy of the Chair position. Some have suggested that the Chair should be a cabinet level position, but a final decision has not been made yet. The chair position salary will likely be commensurate with an associate director position within state government.
- The governor's office is also reviewing staff and office space requirements necessary for the Coordination team functions and is trying to be creative as possible in consideration of budget constraints. Although the legislation requires that the governor's office create the position, no funds were allocated for the position. The governor's office is trying to keep this issue in context with the larger budget.

Comment: It is hoped that the governor's office will proceed on this issue with speed. The legislature is aware of the funding issue for the position and staffing requirements. Since there is no money in the current budget, a supplement budget request will be necessary.

3. Legislative presentations on systems-level planning – Ken Payne and Sandra Whitehouse

Ken Payne

- The structure of the Coordination Team legislation was developed by the House side, but was supported very strongly from the begging by the Senate. In particular, Senate majority leader Teresa Paiva-Weed was a primary proponent of the concept for integrated ecosystem management.
- Although the House and Senate had different components for Bay-related legislation, they were coordinated through out the legislative process to create a strategy to improve the management of the Bay ecosystem. The six pieces of legislation need to be read as a whole.

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- The 1970's created mission oriented regulatory agencies, essentially a divide and conquer model. These were administrative bureaucracies. However, in the ensuing years informal cooperation had evolved among the agencies and was crucial to accomplishing things. One example is the habitat restoration project, which was a combined interagency and NGO effort to restore habitats around the Bay.
- By the 1990's the theory of how government should operate had evolved to a point of examining systems-level planning, and a recognition that things needed to be done in an integrated manner. Some agencies were in fact doing integrated management, but there was no formal arrangement, structure, or capacity for doing things other than on an *ad hoc* basis.
- Sustained innovation is not a product of accident, but rather by design. If you want good things to happen on an ongoing basis, one must have plans and an implementation strategy. There has to be an organizational infrastructure to support such a concept. This is the concept behind the Coordination Team legislation.
- It is important to note that the Coordination Team does not take away from any of the activities from Team members, and it is not a substitute for any agencies jurisdiction. The Coordination team can only be as strong as the capacity of the members of the Team. Accordingly, the Senate efforts was to strength and modernize the member agencies powers, while the House effort was to organize and assemble the members into the Coordination Team to be effective in ecosystem management.
- Example: Efficient use of the open space bond will require the involvement of a number of agencies and that is the function of the Coordination Team. Look at things as systems rather than as single problems.
- The name of the Coordination Team is exactly what is intended. You need a game plan and a coach. The Team will provide an invaluable tool for ecosystem management.

Sandra Whitehouse

- The House legislation lays out the governance structure of the Coordination Team. The Chair is really a facilitator for the Team. There are four committees: the Scientific Advisory Committee (SAC), the Public Advisory Committee (PAC), the Environmental Monitoring Collaborative and the Economic Monitoring Collaborative. All of which assist and advise the Coordination Team.
- It is important to know that there are other state agencies like DOT and DOH that are not part of the Coordination Team, but need to be part of the standing committees to advise and feed information to the Coordination Team. Also, work with federal agencies and neighboring states needs to be done within the context of the Coordination Team
- The NGOs (e.g., Save The Bay) and academic institutions will be critical components of the advisory committees. The general public can also participate on these advisory committees.
- There are several key elements of the legislation that are important to the function of the Coordination Team. There is the systems-level plan, the work plan (annual activities/tasks), the budget, and performance accountability.
- Although the Coordination Team is imbedded within the executive branch, the legislation requires that the plans, budgets, and reports be submitted to both the governor and general assembly. Now that we're in a post separation of powers era, the executive branch will be doing the work while the general assembly will be conducting oversight of the Coordination Team work.
- There are five major duties of the Coordination Team:
 1. Develop and implement a systems-level plan.

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2. Develop and implement environmental and economic monitoring programs.
 3. Develop and submit annual work plans.
 4. Develop and submit budgets.
 5. Develop and submit periodic reports.
- The systems-level plan is an interagency effort that is composed of an integrated strategy for ecosystem management that covers the bays, rivers and watersheds.
 - The systems-level plan:
 1. Establishes overall goals and priorities (This is critical!).
 2. Sets forth a strategy for attaining goals that delineates specific responsibilities among agencies.
 3. Identifies funding sources and a timetable for task completion.
 4. Provides an estimate of total projected cost of implementation (The Governor's Commission Finance panel has estimated \$1.2 billion in capitol improvement costs).
 5. Provides a strategy for a monitoring program that evaluates progress and allows for adaptive management.
 - Elements that must be included within the systems-level plan are specifically listed within the House legislation. However, the Coordination Team may develop other elements of the plan as needed, provided the legislative components are included.
 - A strategy for environmental and economic monitoring must be developed along with a strategy for how that monitoring will be accomplished. It is imperative that all monitoring work be done through the Coordination Team. Further, monitoring data must be properly analyzed and made publicly available to assist policy makers and regulators, and advise the public.
 - Environmental monitoring must include: land use within the shoreline buffer; water temperature, salinity, and pH; nitrogen and phosphorous (nutrients); dissolved oxygen; bacteria; water flow and circulation; species assemblages and abundance; and nuisance species. Other indicators may be considered, as needed, provided the foregoing list from the legislation is included.
 - Economic monitoring must evaluate total gross state product originating in the water cluster; direct and indirect employment in the water cluster; and public expenditures for the water cluster.
 - The Coordination Team must develop an annual work plan that delineates:
 1. The projects/programs/activities required for each Team member to implement the systems-level plan.
 2. Annual priorities
 3. Individual work plans
 4. Proposed regulations, grants, and project selection processes.
 5. Necessary revisions to the plan (adaptive management).
 - The Coordination Team must prepare an annual budget to include annual work plan costs and total capitol costs associated with implementation of the systems-level plan. The budget will be reviewed by the Senate and House Finance committees, and will benefit the Coordination Team, because these committees will be reviewing the budget in a comprehensive manner for systems-level planning and implementation.
 - The annual progress reports submitted by the Coordination team will form the basis for legislative oversight in reviewing how successfully the Team implements the systems-level plan and work plan elements. If there are shortcomings, remedies to alleviate the problems must be proposed within the report. In addition, there must be an environmental status report produced

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and disseminated to the public every four years to show progress on the systems-level plan implementation.

- The Coordination Team's mission is to work in a coordinated fashion to:
 1. Define the environmental and economic issues/problems.
 2. Develop a strategy to resolve the issues.
 3. Determine who will be the lead for each element.
 4. Develop short-term work tasks.
 5. Monitor progress.
 6. Use adaptive management.

Comments/Questions

Question: The \$70 million dollar environmental bond was just passed. How do we undertake the coordination as to how that money is spent in the absence of a systems-level plan to direct that work?

Response: The concept for the original bond was \$15 million, but was amended by the Governor's Commission as part of a comprehensive review and it was increased to \$70 million. It addresses the issues as reported in the March 2004 Phase I report. It is a starting point.

Comment: As we develop the systems-level plan some of the actions should reflect the issues that went into promoting the bond. In addition, the Coordination Team will need to review and evaluate project success (adaptive management), and if necessary, reprioritize bond monies to address outstanding issues.

Comment: The \$70 million was intended to be used over a 5-year cycle. The Governor expects to come back to the voters in two years for another round of funding to continue environmental work. The Coordination Team can reprioritize needs based on the development of the systems-level plan.

Question: How does the submittal of a budget for the Coordination Team relate to individual agency budget requests?

Response: The Coordination team budget is not intended to replace agency budgets. Rather it is a tool for the House and Senate finance committees to look holistically at the work being done as part of the systems-level plan.

Comment: The existing budget review process only looks at how money is allocated; it does not look at how tasks are being done. The Coordination Team budget will permit a holistic review of tasks and help the general assembly better understand the systems-level plan needs.

Question: How will Massachusetts play a role in this process?

Response: Natural systems need multi-state coordination. However, internal coordination within RI is needed before we can coordinate outside of the state. Coordination needs to take place on many levels – executive and legislative.

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Comment: Of the \$70 million bond just passed, the RICWFA has available now \$10.5 million to address nutrient removal upgrades at facilities on the DEM priority list. The Coordination Team is a good vehicle for sharing information on similar issues.

Question: Does EPA have any programs available to assist in moving a multi-state process forward?

Response: EPA has recently reorganized into program units, rather than the previously existing state units. There is now a higher potential to move towards a more integrated approach. The Gulf of Maine approach may be useful for southern New England.

Comment: There is an existing process for capitol requests to the Capitol Oversight Committee. It's an integrated process that reviews priorities for capitol requests. The Coordination Team should talk with the budget director to see how the two can work together. The other issue is individual operating budgets and how the work plan will guide the agency budgets. The systems-level scope of work needs to be involved in the ongoing 2006 budget process, which is already underway and will be completed in January.

Comment: It would be good to have the budget office director here as well.

Comment: Statewide planning has not been involved in budget office review, even though it falls within the Dept. of Administration.

Question: We have a January 2005 deadline to develop and submit a scope-of-work. It's now November 22, how do we meet that deadline?

Response: Coordination Team members need to work with Jim Boyd to develop the scope of work for January. We'll try and meet again in December to review a draft plan.

Comment: It seems that some of the work that needs to be incorporated into a systems-level plan has already been done or is in the process of being done by Team member agencies (e.g., CRMC and DEM).

Comment: DEM has some work plan models that may be helpful in the process of developing the systems-level plan.

Comment: The 2002 Puget Sound water quality plan and work plan appears to be a good model for the final systems-level plan. The institutional framework for each program is provided along with goals and strategies for each subject area with agency responsibilities. I encourage us to adopt a similar approach. The ultimate goal is to develop a plan that the public can embrace and help build support at the grass roots level.

Comment: It would be very useful to have the Coordination Team designate staff from their respective agencies to assist in the development of the scope of work.

Comment: Staff work is not only needed to develop the scope of work, but there is a need for an ongoing commitment of staff support to develop the systems-level plan.

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Comment: DEM is willing to provide some core staff to help develop the scope of work and systems-level plan. We're presently working on 40 strategies with a commitment to address issues raised in the Governor's commission Phase I report.

Comment: It seems the scope of work should identify the lead agencies for developing the work.

Comment: CRMC is willing to assist in the effort, however we're already involved in developing a dredge management plan, the Greenwich Bay SAMP, the marine resources development plan, and the Providence River area SAMP. These are presently some of our statutory obligations, and unfortunately, we just don't have the resources necessary at the moment.

Comment: The Rives Council is even in worse shape, as we have no staff at all. The purpose of the scope of work is to identify how we're going to get the plan done, and identify the resource constraints.

Comment: The funding issue is problematic. We need a supplemental budget request for the beginning of 2006.

Comment: Would like to have an understanding of how other stakeholders can participate in this process.

Comment: The SAC and PAC will provide an avenue for others participation in the Coordination Team process.

Comment: The Governor's Commission Habitat panel is a good model for how multi-agency and other stakeholders' input can be included in the process. Perhaps the Coordination Team can consider this information.

4. Discussion of Scientific and Public Advisory Committees – Peter August

- At the last meeting initial members of the SAC and PAC were identified, and they have been thinking of implications of the committees, role, purpose, and so on
- Don Pryor, interim member of the SAC, reviewed the legislation and developed some critical questions for consideration for SAC membership as detailed in his handout. For example:
 1. Should state employees (particularly employees of agencies led by coordination team members) serve on the committee? Should general assembly employees serve?
 2. Should owners or employees of private businesses serve on the committee?
 3. Should federal agency employees serve on the committee?
 4. How should minimal conflicts-of-interest be managed and distinguished from larger conflicts that would disqualify individuals?
 5. What scientific credentials should be required? PhD? Active research?
 6. Should members be selected from within RI or should some members from other states (particularly MA) be invited? Is compensation possible for costs incurred?
 7. What discipline, breadth and/or balance is desired? (Ecologists, engineers, economists, sociologists, etc.)

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- Don also suggested several models for the SAC structure as follows:
 1. Model A - Select representatives of academic institutions and NGOs. Representatives to be selected by senior officials of each institution and expected to be able to tap into resources of those institutions for expertise and/or resources.
 2. Model B - Select experts in areas, which the science committee is expected to review.
 3. Model C - Select leading scientists with broad spans of interest. Expect more pro-active than reactive advice. Look to the committee for advice on scope, approach, and people to develop plans required of the coordination team rather than detailed review of completed plans.
 4. Model D - Select experts in areas that cross-cut common aspects of plans required of the coordination team, e.g. fisheries, water quality, planning and development, technology, etc. (Perhaps this model could be combined with Model C above.)

Comment: Let me remind everyone that the Governor's office will be appointing people to the SAC and PAC. This is a great opportunity since Mark is here as to what the Coordination Team's thoughts are in this matter.

Comment: We need a broad-based membership on these committees and support Model B that includes state employees, academic and private sector individuals.

Comment: I second the recommendations. It's important to have folks that are involved on a day-to-day basis on the issues

Question: How does the Coordination Team envision these committees? Will they react to what the Coordination Team hands to them or will they develop information for the Team?

Response: The SAC is set up in legislation to provide an advisory role for the Team. Expect the SAC to provide technical and scientific review and help the Team make good decisions.

Question: What is the relationship between the SAC and the Coordination Team? Will the Coordination Team request assistance of the SAC or will the SAC set its own agenda?

Response: The SAC will provide technical and scientific review for the Team. It is expected that the SAC can provide rapid peer review of any issue that the Team requests.

Comment: Scientific community was aware of things happening in the marine environment, that weren't necessarily registering at the policy level. A dynamic relationship should be established and that is the intent of the recent legislation in establishing the Coordination Team.

Comment: Science can feed into the Coordination Team. Issues need to be incorporated into Coordination Team work.

Comment: Just a reminder that the specific duties of the SAC are listed in the statute.

Comment: Issues of conflict need to be considered. Data needs to be unbiased, and the Coordination Team has responsibility to meet statutory requirements while relying on data forwarded by committees.

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Comment: It would be prudent to consider some specific guidelines for SAC members to follow in executing their duties on behalf of the Coordination Team.

Comment: The Public Advisory Committee has been well thought out and a list of nominees that includes major stakeholders, including NGOs, has been drafted for consideration by the Governor's office.

Comment: Remember that the Governor's office will be making the appointments to these committees. If Coordination Team members have any recommendations for the SAC/PAC, they should forward their nominees to Chair Garrahy.

Comment: Need to establish work tasks and responsibilities for these committees. The way they operate is not presently specified.

Comment: Within the scope of work we develop, we should lay out how the Coordination Team will interact with the SAC/PAC.

Comment: The procedural guidelines are a separate issue from the systems-level plan. The statute provides for establishing operating guidelines and the Team can act on that issue at any time it chooses.

Comment: The DOA has guidelines for committee procedures and operations. Will share these with Coordination Team staff.

Question: When will the committees be formed?

Response: No statutory deadlines, but expect them to be named by January.

Comment: Suggest finding at least a couple members from outside the system to provide a fresh perspective on issues. Also should include social scientists

Comment: For the record, I'd like to recommend that agency representation be included on the SAC.

5. Update on Economic and Environmental Monitoring Collaboratives

- The two statutory members of the economic group were convened in October at the request of Chair Garrahy to get work started. Another meeting was held last week where Ken Payne and Charles Colgan provided presentations on the marine cluster and economic data. The economic group is starting with a good amount of available data and they expect to meet their statutory obligation in January.

Comment: Was under the impression that the systems-level plan would want to look at the interaction of economics of bay-related activities.

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Comment: The Coordination Team will have a seamless flux of both economic and environmental information. The economic group only has two members named in statute, and still needs appointees from the Governor's office.

- The Environmental Monitoring Collaborative has its 3rd meeting scheduled for December 16th. It is not starting at ground zero, but is using some existing data. A very rich website has been established with lots of dialog.
- Using the DEM monitoring strategy as a baseline, while identifying gaps that need to be resolved. Coalition of a variety of scientists to identify missing elements of a comprehensive strategy. The group is reviewing ongoing monitoring programs and is making good progress. Work includes issues identified in the Bay Trust, the Governor's Commission and the work completed on behalf of the PNB.
- Publicly funded data will rapidly be made available for dissemination and consumption
- The Environmental Monitoring Collaborative embraces adaptive management and expects to have a good comprehensive monitoring strategy ready in January.

Comment: An additional \$1 million was secured by Senator Chafee's office for the Bay Windows program.

Comment: The Environmental Monitoring Collaborative will provide a draft of its strategy to the Coordination Team for review in January.

Comment: One of the key points is the timelines that the Team needs to meet. We need to make those determinations soon.

Comment: Members of the Coordination Team will provide staff with names of individuals and expertise within their agencies that will be available to assist in the development of the scope of work.

Comment: We should adopt operating procedures as set forth in the statute for the conduct of business. They will establish how the Team interacts with the committees, and this should be discussed at the next meeting.

Comment: We expect to meet again within the next month to discuss operating procedures and the scope of work. We'll notify everyone as soon as a date is set.

The meeting was adjourned at Noon.

Please visit the Collaborative website at: www.ci.uri.edu/ribayteam/ for additional information.

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November 22 Meeting Attendees

Coordination Team

J. Joseph Garrahy	<i>Interim Chair</i>
Michael Tikoian	RICRMC
Fred Vincent	RIDEM
Mike Walker	Economic Development Corporation
Dan Varin	Water Resources Board
John O'Brien	RI Dept. of Administration
Meg Kerr	RI Rivers Council
Thomas Uva	Narragansett Bay Commission

Other Attendees

Mark Adelman	Governor's Office
Peter August	URI Coastal Institute
James Boyd	URI Coastal Institute
Chip Young	Coastal Resources Center
Mike Bennett	RIDOT
Ed Szymanski	RIDOT
Kathleen Crawley	Water Resources Board
Janet Keller	RIDEM
Cynthia Giles	MA DEP
Sandra Whitehouse	RI House Policy
Ken Payne	RI Senate Policy
Laura Ernst	ESS Group, Inc.
Peg Parker	RI House Policy
Bob Ballou	RIDEM
Scott Millar	RIDEM
Paul Jordan	VHB
Don Pryor	Brown University
Bruce DiGennaro	Kleinschmidt
Richard Ribb	NBEP
Sue Kiernan	RIDEM
Grover Fugate	RICRMC
Margherita Pryor	USEPA
Chris Deacutis	NBEP
Anthony Simeone	RICWFA